



## SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM LEASEHOLDER ANNUAL REPORT FORM

All leaseholders are required to report their shellfish farming activities to the County on an annual basis. Each leaseholder is required to submit a Leaseholder Annual Report to the Department and Economic Development and Planning, Division of Planning & Environment (Department) each year that they retain their lease with the County. All aquaculture activities that were conducted during the period of \_\_\_\_\_ to \_\_\_\_\_ should be reported on this form. If no shellfish aquaculture activities were undertaken this year, leaseholders must also indicate the same on this form and explain why no activities took place on or off (e.g., *submittal of permit applications, purchase of equipment/seed/gear, etc.*) the lease site. If permit modifications have been applied for and/or obtained that alter shellfish cultivation activities (e.g., *type of cultivation method, species cultivated, gear type, etc.*) from the previous year, please make note of these changes on this form and submit copies of permits to the Department. This annual report should also include information regarding activities conducted on any sublease involving the leased premise (*if applicable*).

This form, along with the annual lease rental fee and SC Form 22 (*Contractor's/Vendor's Public Disclosure Statement*), are due 30 days before the lease anniversary date or expiration of lease. Leaseholders are also required to submit this reporting form along with applications for lease renewal, relocation, assignment, or sublease (*if applicable*).

**Annual Lease Rental Fee:**     \$\_\_\_\_\_ (*Pays for \_\_\_\_\_ to \_\_\_\_\_*)

Checks or money orders should be made payable to the **Suffolk County Comptroller**.

Please include your Lease Site Number on the memo line of the check/money order.

### Mailing Instructions:

Leaseholders must submit the completed Leaseholder Annual Report Form and SC Form 22; annual lease rental fee payment and a copy of their regulatory permits to the Suffolk County Division of Planning & Environment at the address below. All forms and fee should be mailed together.

SUFFOLK COUNTY DEPARTMENT OF ECONOMIC DEVELOPMENT & PLANNING  
DIVISION OF PLANNING & ENVIRONMENT

P.O. Box 6100

H. Lee Dennison Bldg. – 11<sup>th</sup> Floor

Hauppauge, NY 11788-0099

**ATTN: Mr. Thomas Ralicky**

**PART I.**

**SHELLFISH AQUACULTURE LEASE PROGRAM  
LEASEHOLDER ANNUAL REPORT AND RENTAL FEE  
ACKNOWLEDGEMENT OF RECEIPT**

1. Full Legal Name of Leaseholder: \_\_\_\_\_

2. Contact Person for Leaseholder: \_\_\_\_\_

3. Contact Person's Position or Title: \_\_\_\_\_

4. Mailing Address: \_\_\_\_\_

5. Preferred Phone No.: \_\_\_\_\_

6. Please complete the table below:

Lease Sites Map ID#	Lease Acreage	Site Location:	
		(Town)	(Water body)

**DO NOT WRITE BELOW THIS LINE**

**TO BE COMPLETED BY S.C. DIVISION OF PLANNING & ENVIRONMENT**

Date Received by EDP 11<sup>th</sup> Floor: \_\_\_\_\_

Processed by (*Staff Name*): \_\_\_\_\_

Accounting Code: 8020 2410 6891

Date Received by Thomas Ralicky: \_\_\_\_\_

Status:

Complete: \_\_\_\_\_

Incomplete: \_\_\_\_\_ (*See attached*)

**\*\*\*Please attach the annual rental fee to this page and submit with the Annual Report \*\*\***

**PART II.****SHELLFISH AQUACULTURE LEASE PROGRAM  
LEASEHOLDER ANNUAL REPORT FORM**

1. Name of Leaseholder: \_\_\_\_\_  
*(If any changes have been made to the corporation, partnership or LLC that holds the lease, please complete Part V)*

2. Contact Person for Leaseholder: \_\_\_\_\_

3. Contact Person's Position/Title: \_\_\_\_\_

4. Street Address: \_\_\_\_\_

5. Mailing Address: \_\_\_\_\_

6. City, County, State & Zip: \_\_\_\_\_

7. Telephone: business \_\_\_\_\_ home \_\_\_\_\_ cell \_\_\_\_\_  
*(Please indicate your preferred contact number with \*)*

8. Email Address: \_\_\_\_\_

9. Please complete the table below:

<u>Lease Sites</u> <u>Map ID#</u>	<u>Lease Acreage</u>	<u>Site Location</u> (Town) (Water body)

10. Are you or any Affiliate\* of the entity that holds the lease a Suffolk County employee?  
☐ YES ☐ NO

a. If, yes please list the name of the individual(s), the County Department(s) and titles of the position(s) held:

\_\_\_\_\_

11. Are you or any Affiliate\* of the entity that holds the lease a US Veteran? ☐ YES ☐ NO

a. If yes, please attach supporting documentation (*i.e., a copy of DD Form 214, a copy of your Military ID Card, or other similar forms of veteran identification.*)

\*Affiliate means an officer, director, or shareholder of a corporation, a partner in a partnership, or a member of a limited liability company.

**PART III.****SUBSTANTIAL SHELLFISH AQUACULTURE ACTIVITY****1. Lease Type:**

☐ Commercial      ☐ Experimental/Educational      ☐ Resource Restoration

**2. Type of Shellfish Culture Operation:**

☐ On-Bottom      ☐ Off-Bottom      ☐ On/Off-Bottom

**3. Regulatory Permit Status (please check all that apply):**

Applied for:      ☐ NYSDOS      ☐ USCG      ☐ USACE      ☐ NYSDEC

Received:      ☐ NYSDOS      ☐ USCG      ☐ USACE      ☐ NYSDEC

Copies of most recent Regulatory Permits, Permit Amendments or Permit Applications Enclosed:

☐ YES      ☐ NO

a. I have not started the application process for any of the required regulatory permits: ☐

i. If you have not started the application process for any of the required permits, please explain why and when you plan to start.

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**4. Shellfish Species being Cultivated (only select shellfish species that were placed and/or grown on your lease during this reporting year):**

☐ Eastern Oyster      ☐ Razor Clam

☐ Hard Clam      ☐ Bay Scallop

☐ Blue Mussel      ☐ Other: \_\_\_\_\_ (Please list species)

5. In the space below, please list the type, dimensions and amount of aquaculture gear used on your lease site during this reporting year (e.g., *mesh bags, trays, cages, buoys, etc.*):

Gear Type and Dimensions:

Amount:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

d. \_\_\_\_\_

*(Attach additional sheets if necessary)*

6. If you are growing multiple species, please specify which of the gear listed above, as well as the amount, is being used for cultivation of each species:

Species and Gear Type:

Amount:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

*(Attach additional sheets if necessary)*

7. Does the leaseholder have a commercial general liability or a marine general liability policy covering the Premises and the shellfish cultivation activities conducted thereon?

☐ YES ☐ NO

- a. If yes, please submit copies of Declaration Pages for each such policy of insurance evidencing compliance with the insurance requirements as stated in the Shellfish Aquaculture Lease Agreement.

Policy Declaration Pages Enclosed: ☐ YES ☐ NO ☐ N/A

8. In the space below, please identify the vessel(s) used as part of your shellfish farm operation and list the respective Hull ID and New York State Department of Motor Vehicles Registration No.

Boat Make/Model: \_\_\_\_\_ Hull Id #: \_\_\_\_\_ Registration #: \_\_\_\_\_

Boat Make/Model: \_\_\_\_\_ Hull Id #: \_\_\_\_\_ Registration #: \_\_\_\_\_

Boat Make/Model: \_\_\_\_\_ Hull Id #: \_\_\_\_\_ Registration #: \_\_\_\_\_

9. Does the leaseholder maintain insurance on its boats, such as a marine protection and indemnity policy? ☐ YES ☐ NO


- a. If yes, please submit copies of Declaration Pages for each such policy of insurance evidencing compliance with the insurance requirements as stated in the Shellfish Aquaculture Lease Agreement.

Policy Declaration Pages Enclosed: ☐ YES ☐ NO ☐ N/A

## 10. Layout of Shellfish Farming Operation


In the figure below, as accurately as possible, please show where the gear reported in Questions 5 & 6 in this form, is located within your Lease Area, as well as how that gear was laid out (e.g., *trawl lines, individual marker buoys, etc.*). Oyster grant owners please use the attached figure of your grant. Please use the symbols in the KEY below to distinguish between buoys and shellfish cages, racks, trays, etc. The number of buoys, lines, cages, trays, bags, etc. that you include in the figure below should equal the number of buoys, lines, and other pieces of equipment that you listed above. Please include approximate distance(s) between gear. If you are unable to depict an accurate representation of your shellfish farming operation in the figure below, please attach additional drawings of your operation to this annual report form using the same formatting as shown below.

NW Corner




**Lease Area**


**KEY**




Gear Buoys



Trawl Lines



Cage/Bag/Tray



Corner Marker Buoy

(Attach additional sheets if necessary):

- 11.** Please give an estimate in square feet of how much area of your lease area was used during this reporting year:

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- 12.** Shellfish Seed Stock Source Purchased:

Hatchery Name:

Location:

Size & Amount of Shellfish:

a. \_\_\_\_\_

b. \_\_\_\_\_

c. \_\_\_\_\_

- 13.** In the table below, identify the quantity of shellfish “planted” on the lease for during this reporting year:

# of Seed Planted

Shellfish Species Planted

	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
1 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

*Please check the appropriate ranges for each species*

- 14.** Provide a detailed description of the typical shellfish aquaculture activities that took place on your lease site, include activities conducted to maintain shellfish products, e.g., sorted by hand or by tumbler, sorted on boat or land/dock, gear relocation, etc. (*Attach additional sheets if necessary*):

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15. Describe predator control measures, if any, conducted on the lease site, (e.g., *power washing, brine dips, scrubbing, air drying, etc.*):

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16. Please describe method and/or equipment used to harvest cultivated shellfish (e.g., *by hand, mechanical winch, hoist, hydraulic, etc.*):

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17. In the table below, identify the quantity of shellfish harvested from the lease during this reporting year:

# of Shellfish Harvested	Shellfish Species Harvested					
	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
1 - 50,000						
50,001 - 100,000						
100,001 - 250,000						
250,001 - 500,000						
500,001 - 1,000,000						
1,000,000 +						

*Please check the appropriate ranges for each species*

18. Shellfish Landing Report(s) Enclosed: ☐

**19. Substantial Shellfish Aquaculture Activity:**

Leaseholders are required to meet the Substantial Shellfish Aquaculture Activity requirements in order to retain their Lease and remain in the Lease Program. Those leaseholders not conducting Substantial Shellfish Aquaculture Activity as stipulated by the Lease, may be subject to termination.

Leaseholders shall submit one or more of the documents listed below to verify that they are conducting Substantial Shellfish Aquaculture Activities and validate conformance with the requirements specified in the Suffolk County Code.

- Documents related to financing for your business or for equipment.
- Formation of Corporation, Limited Liability Company (LLC), Partnership, Doing Business As (DBA), etc.
- Receipts or invoices for equipment and/or seed purchases.
- Landing reports.
- Record(s) and/or receipts of product sales.
- Other relevant documentation.

Substantial Shellfish Aquaculture Activity Documentation Enclosed: ☐ Yes ☐ No



- 20.** If Substantial Shellfish Aquaculture Activity did not take place or cannot be documented for this reporting year, please explain why (*attached separate/additional sheets if necessary*):

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- 21.** What obstacles, if any, including seasonal, financial, regulatory, and/or logistical, would prevent you from conducting aquaculture activities next year?

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- 22.** Total number of employees, including yourself that worked on your Lease Site: \_\_\_\_\_

a. Number of full-time (*40 hours or more per week*) employees: \_\_\_\_\_

b. Number of part-time (*less than 40 hours per week*) employees: \_\_\_\_\_

- 23.** Product Distribution Type (check all that apply):

- ☐ Direct Sale to Consumer ☐ Wholesale
- ☐ Retail ☐ Restaurants/Boutiques/Wineries
- ☐ Other: \_\_\_\_\_  
(Please specify)

- 24.** Product Distribution Area (check all that apply):

- ☐ Suffolk County ☐ Nassau County ☐ New York City
- ☐ NYS (outside Metropolitan area) ☐ Out of State ☐ Other

Please specify other: \_\_\_\_\_

- 25.** What name do you sell your shellfish under? \_\_\_\_\_

- 26.** Do you have a business website? ☐ Yes ☐ No

a. If yes, please list the website address: \_\_\_\_\_

- 27.** Do you advertise on social media (e.g. *Facebook, Instagram, Twitter*)? ☐ Yes ☐ No

a. If yes, please specify: \_\_\_\_\_

**28.** What percentage(s) of your harvested shellfish are distributed to which areas?

Distribution Locations	Eastern Oyster	Hard Clam	Blue Mussel	Razor Clam	Bay Scallop	Other
Suffolk County						
Nassau County						
New York City						
NYS Outside Metro Area						
Out of State						
Other						

**29.** Did you purchase any new gear and/or equipment during this reporting year?

☐ Yes ☐ No

a. If yes, please specify type of gear/equipment purchased: \_\_\_\_\_

b. Please identify where gear/equipment was purchased from: (check all that apply):

☐ NY ☐ CT ☐ MA ☐ RI ☐ Other: \_\_\_\_\_

**30.** Did you experience any setbacks outside of your control (*e.g., diseases, storms, acts of god, etc.*) to your shellfish stocks? ☐ YES ☐ NO

a. If so, please specify date of occurrence(s) and explain in detail how this event impacted your farming operation (*attach additional sheets if necessary*):

**31.** Did you experience any problems or conflicts with other bay users? ☐ Yes ☐ No

a. If yes, please state when the incident(s) occurred, identify type of bay user and how they interfered with your operation (*i.e. poaching, property damage, theft, etc.*):

**PART IV.****CERTIFICATION**

**32.** Please answer the following questions as appropriate for the period covered by the \_\_\_\_\_ .

- a. Does the Leaseholder warrant that it is not in arrears to the County for taxes or upon debt or contract, and is not in default, as principal, surety, contractor or otherwise on any obligation to the County?  
☐ YES ☐ NO
- b. If the Leaseholder's lease is on or within a private oyster grant, is the private oyster grant currently under the Leaseholder's ownership?  
☐ YES ☐ NO ☐ N/A
- c. If the Leaseholder's lease is on or within a private oyster grant, have all the real property taxes been paid to date?  
☐ YES ☐ NO ☐ N/A
- d. If the Leaseholder's lease is on or within a private oyster grant, are there any liens on or against the private oyster grant?  
☐ YES ☐ NO ☐ N/A
- e. Has the lessee ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report? ☐ YES ☐ NO
- f. If the lessee is a *corporation*, has the corporation or any officer, director or shareholder ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?  
☐ YES ☐ NO ☐ N/A
- g. If the lessee is a *LLC*, has the LLC or any member ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report?  
☐ YES ☐ NO ☐ N/A
- h. If the lessee is a *partnership*, has the partnership or either partner ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel since the most recent lease application or Annual Report? ☐ YES ☐ NO ☐ N/A

**33.** If you answered yes, to questions e., f., g., or h. listed above, please identify violation and the outcome:

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*Please be advised, Suffolk County may submit a Freedom of Information Law (FOIL) request to the New York State Department of Environmental Conservation and/or a Freedom of Information Act (FOIA) request to any relevant federal government agency to verify whether a lessee has been convicted or found guilty for any violations of the New York State Environmental Conservation Law or other applicable Federal or State laws.*

*Please be advised, Suffolk County will not release or share certain records that it deems proprietary information, private information and/or financial information regarding the Leaseholder unless required to do so by court order or by applicable law (e.g. the Freedom of Information Law (FOIL)) or regulation. Among other exemptions, FOIL provides for exemption from disclosure for records, or portions thereof, that:*

- *Are specifically exempted from disclosure by state or federal statute;*
- *If disclosed would constitute an unwarranted invasion of personal privacy under the provisions of Pub. Officers Law § 89(2); or*
- *Are trade secrets or are submitted to an agency by a commercial enterprise or derived from information obtained from a commercial enterprise and which if disclosed would cause substantial injury to the competitive position of the subject enterprise;*

I hereby state that the information included in this Annual Report is true and correct and that I have read and understand regulations of the New York State Department of Environmental Conservation, and the requirements of the Suffolk County Shellfish Aquaculture Lease Program in Peconic Bay and Gardiners Bay governing shellfish aquaculture.

**Full Legal Name of Leaseholder:** \_\_\_\_\_

**Print Name of Signer:** \_\_\_\_\_

**Title of Signer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

This form must be filed by an authorized party. If a corporation, the form should be signed by an officer. If a LLC, the form should be signed by a managing member, or a manager or other principal. If a partnership, the form should be signed by a partner.

**McKinney's Penal Law § 175.35(1) Offering a false instrument for filing in the first degree**

A person is guilty of offering a false instrument for filing in the first degree when:

1. knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he or she offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation;...

Offering a false instrument for filing in the first degree is a class E felony.

**McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree**

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.

## **PART V.**



### **SUFFOLK COUNTY SHELLFISH AQUACULTURE LEASE PROGRAM Corporations, Partnerships or Limited Liability Company**

Leaseholders that are Corporations, Partnerships, or Limited Liability Companies (LLC) and hold the Shellfish Aquaculture Lease with the County must complete this form and submit the same along with the Leaseholder Annual Report form.

Corporations, Partnerships, or Limited Liability Companies (LLC), which have been sold to new ownership are required to inform the County by completing this form along with the *Notification Regarding Transfer of Ownership or Management in a Company form*; and submitting the same to the Department of Economic Development and Planning with the documentation requested herein.

- 🌀 Leaseholder Annual Report Form
- 🌀 Notification Regarding Transfer of Ownership or Management in a Company

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## 1. Corporate Leaseholders

Please answer questions C-1 through C- 10 if you are updating information pertaining to the Corporation. If no changes and/or updates have been made please see question C-11.

C-1. Please list the date and state in which incorporated (*include a copy of the Articles of Incorporation*): \_\_\_\_\_

C-2. Type of Corporation: ☐ Domestic Corp. ☐ Foreign Corp.

*If a Foreign Corp., (i.e., a corporation that was **not** incorporated in the State of New York), a Certificate of Authority from the NYS Dept. of State, which allows the Corp. to do business in NYS must be submitted.*

C-3. Does this corporation conduct business under a different name other than the legal corporate name? ☐ Yes ☐ No

*If yes, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.*

C-4. Federal Tax ID No. (EIN): \_\_\_\_\_

C-5. Please list the names and addresses of all shareholders, who own or control at least 5% of the outstanding stock and the percentage of the outstanding stock currently owned or controlled by each such shareholder:

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C-6. Please list the names and addresses of all directors:

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C-7. Please list the names, addresses and titles of all officers:

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C-8. Is a signed meeting abstract, which documents the meeting of shareholders, directors or officers including, but not limited to, any outgoing and/or new shareholders, directors or officers, enclosed?

The meeting abstract must include the following information:

- Action taken to admit the new shareholders, directors or officers. Please indicate the date of said action taken.
- List of the outgoing shareholders, directors or officers. Please indicate the date(s) of said action(s) taken.
- State who is authorized to manage the Corporation and to enter into contracts. If the authorized manager(s) changed please indicate the date of said action taken.

C-8. (Continued)

- Demonstrate agreement by the corporation to enter into and be bound by the by the subject Lease with the County of Suffolk. Please indicate the date of said action.

C-9. Please list the names and addresses of shareholders, directors, or officers owning an interest, either directly or beneficially, in any other New York State shellfish cultivation operation as well as the location and quantity of acreage attributed to each such person:

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C-10. Has the corporation or any officer, director or shareholder ever been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel?

☐ Yes ☐ No

If yes, explain: \_\_\_\_\_  
(Attach additional sheets if necessary)

C-11. I certify that there were no changes or updates made to the corporation during this annual reporting year. ☐ Yes ☐ N/A

**Full Legal Name of Leaseholder:** \_\_\_\_\_

**Print Name of Signer:** \_\_\_\_\_

**Title of Signer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

This form must be executed by an officer and accompanied by a certified, duly-adopted corporate resolution authorizing the submission of this form and entry into the subject lease.

**McKinney's Penal Law § 175.35(1) Offering a false instrument for filing in the first degree**

A person is guilty of offering a false instrument for filing in the first degree when:

1. knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he or she offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation;...

Offering a false instrument for filing in the first degree is a class E felony.

**McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree**

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.



## 2. Partnership Leaseholder

Please answer questions P-1 through P-8 if you are updating information pertaining to the Partnership or Limited Partnership (LP). If no changes and/or updates have been made please see question P-9.

P-1. Please list the date and state in which the partnership was formed (*include a copy of either the Certificate of LP or documentation of the formation of a General Partnership*):

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P-2. Does this partnership conduct business under a different name other than the legal partnership's name? ☐ Yes ☐ No

*If yes, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.*

P-3. Federal Tax ID No. (EIN): \_\_\_\_\_

P-4. Please list the names, addresses, and ownership shares of partners:

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P-5. Has the partnership or any partner applied for a Suffolk County shellfish aquaculture lease for the underwater lands of Peconic Bay or Gardiners Bay in the past?

☐ Yes ☐ No

If yes, state the outcome or current status of that application or lease:

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P-6. State whether the partnership (or either partner) owns an interest, either directly or beneficially, in any other New York State shellfish cultivation operation as well as the location and quantity of acreage from the existing operation:

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P-7. Is a signed meeting abstract, which documents the meeting of all partners or managing members, including, but not limited to, the outgoing and new partners or managing members, enclosed?

The meeting abstract must include the following information:

- Action taken to admit the new partners or managing members. Please indicate the date of said action taken.
- List of the outgoing partners or managing members. Please indicate the date of said action.
- State who is authorized to manage the Partnership and to enter into contracts. Please indicate the date of said action. If the authorized manager changed please indicate the date of said action taken.
- Demonstrate agreement by partners or managing members entitled to vote, to enter into and be bound by the Lease with the County of Suffolk. Please indicate the date of said action.

P-8. Has the partnership or any partner been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel?

☐ Yes ☐ No

If yes, explain: \_\_\_\_\_  
(Attach additional sheets if necessary)

P-9. I certify that there were no changes or updates made to the Partnership or Limited Partnership during this annual reporting year. ☐ Yes ☐ N/A

**Full Legal Name of Leaseholder:** \_\_\_\_\_

**Print Name of Signer:** \_\_\_\_\_

**Title of Signer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

This form must be executed by a partner and must be accompanied a meeting abstract that authorizes submission of this form and entry into the subject lease.

**McKinney's Penal Law § 175.35(1) Offering a false instrument for filing in the first degree**

A person is guilty of offering a false instrument for filing in the first degree when:

1. knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he or she offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation;...

Offering a false instrument for filing in the first degree is a class E felony.

**McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree**

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.

**3. Limited Liability Company (LLC) Leaseholder**

Please answer questions L-1 through L-11 if you are updating information pertaining to the LLC. If no changes and/or updates have been made please see question L-12.

L-1. Please list the date and state in which the LLC was formed (*include a copy of the Articles of Organization*):

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L-2. Type of LLC: ☐ Domestic LLC ☐ Foreign LLC

*If a Foreign LLC, (i.e., a LLC that was **not** formed in the State of New York), a Certificate of Authority from the NYS Dept. of State, which allows the LLC to do business in NYS must be submitted.*

L-3. Does this LLC conduct business under a different name other than the legal LLC name?  
☐ YES ☐ NO

*If yes, please submit a General Business Certificate issued by the Suffolk County Clerk for your Business Name.*

L-4. Federal Tax ID No. (EIN): \_\_\_\_\_

L-5. Please list the names, addresses, and ownership interest of all members:

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L-6. Please list the names, addresses, titles and ownership interest (if any) of all persons authorized to manage the LLC and to enter into contracts:

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L-7. Is a copy of the LLC's Operating Agreement enclosed? ☐ YES

L-8. Is a signed meeting abstract, which documents the meeting of all LLC members or managing members, including, but not limited to, the outgoing and/or new LLC members or managing members, enclosed? ☐ YES

The meeting abstract must include the following information:

- Action taken to admit the new LLC members. Please indicate the date of said action.
- List of the incoming and outgoing members. Please indicate the date of said action.
- State who is authorized to manage the LLC and to enter into contracts. If the authorized manager changed please indicate the date of said action taken.
- Demonstrate agreement by members or managing members entitled to vote, to enter into and be bound by the Lease with the County of Suffolk. Please indicate the date of said action.

L-9. Has the LLC or any member applied for a Suffolk County shellfish aquaculture lease for the underwater lands of Peconic Bay or Gardiners Bay in the past? ☐ YES ☐ NO

*If yes, state the outcome or current status of that application or lease:*

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L-10. State whether the LLC or any member owns an interest, either directly or beneficially, in any other New York State shellfish cultivation operation, as well as the location and quantity of acreage from the existing operation:

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L-11. Has the LLC or any member been convicted or found guilty of any civil, criminal or administrative violations of the Environmental Conservation Law or other Federal, State or local law, as it pertains to shellfish, finfish, other marine resources, environmental protection, food sanitation, navigation or operation of a vessel? ☐ YES ☐ NO

If yes, please explain:

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(Attach additional sheets if necessary)

L-12. I certify that there were no changes or updates made to the LLC during this annual reporting year: ☐ YES ☐ N/A

**Full Legal Name of Leaseholder:** \_\_\_\_\_

**Print Name of Signer:** \_\_\_\_\_

**Title of Signer:** \_\_\_\_\_

**Signature:** \_\_\_\_\_ **Date:** \_\_\_\_\_

This form must be executed by a managing member, manager, or other principle designated in question L-6 and must be accompanied by a signed meeting abstract that authorizes submission of this form and entry into the subject lease.

**McKinney's Penal Law § 175.35(1) Offering a false instrument for filing in the first degree**

A person is guilty of offering a false instrument for filing in the first degree when:

1. knowing that a written instrument contains a false statement or false information, and with intent to defraud the state or any political subdivision, public authority or public benefit corporation of the state, he or she offers or presents it to a public office, public servant, public authority or public benefit corporation with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office, public servant, public authority or public benefit corporation;...

Offering a false instrument for filing in the first degree is a class E felony.

**McKinney's Penal Law § 175.30 Offering a false instrument for filing in the second degree**

A person is guilty of offering a false instrument for filing in the second degree when, knowing that a written instrument contains a false statement or false information, he offers or presents it to a public office or public servant with the knowledge or belief that it will be filed with, registered or recorded in or otherwise become a part of the records of such public office or public servant.

Offering a false instrument for filing in the second degree is a class A misdemeanor.